

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

DEC 18 2007

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

JOAQUIN FLORES MENDOZA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 06-72526

Agency No. A77-256-210

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Argued and Submitted December 3, 2007  
San Francisco, California

Before: FARRIS, BEEZER, and THOMAS, Circuit Judges.

Although Flores Mendoza admitted that he possessed and used cocaine at his removal hearing, BIA precedent requires that the alien be provided with all of the essential elements of the crime and that the crime must be explained in understandable terms prior to the admission. *Matter of K*, 7 I. & N. Dec. 594, 597

---

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

(BIA 1957). The record is devoid of any evidence that Flores Mendoza received the required definition.

On this record, Flores Mendoza qualifies for adjustment of status.

**PETITION FOR REVIEW GRANTED.**